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EXHIBIT A

United States Senate

WASHINGTON, DC 20510-3603

February 12, 2014

COMMITTEES:
ARMED SERVICES
INTELLIGENCE *ex officio*
ENVIRONMENT AND
PUBLIC WORKS

The Honorable Charley Barth
Director
Office of the Federal Register
800 North Capitol Street, NW
Suite 700
Washington, D.C. 20001

Dear Director Barth,

On January 8, 2014, the Federal Register published the Environmental Protection Agency's (EPA) proposed New Source Performance Standards for Electricity Generating Units (NSPS)¹. I am writing to inquire about the steps taken to publish this rule in the Federal Register. Will you please fully respond to the following questions in writing by February 19, 2014?

1. On what specific date did the Office of the Federal Register (OFR) first receive the NSPS proposal from EPA?
2. Did EPA send multiple versions of the rule to OFR prior to the NSPS publication on January 8, 2014? If so, please provide the dates EPA sent the different versions.
3. Did EPA ever request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.
4. Did EPA ever request a change in the publication date for the rule? If so, please provide the date specified.
5. Once OFR received the rule from EPA, how long did it take to prepare it for publication?
6. Once OFR prepared the rule for publication, how long before it was published in the Federal Register?

I appreciate your prompt attention to this request.

Sincerely,



James M. Inhofe
Ranking Member
Subcommittee on Oversight
Senate Environment and Public Works Committee

¹ "Standards of Performance for Greenhouse Gas Emissions From New Stationary Sources: Electric Utility Generating Units; Proposed Rule," 79 Fed. Reg. 5 (Jan. 8, 2014), pp 1430-1519.



EXHIBIT B

OFFICE of the
FEDERAL REGISTER

February 18, 2014

Honorable Senator James M. Inhofe
Ranking Member
Subcommittee on Oversight
Senate Environment and Public Works Committee
205 Russell Senate Office Building
Washington, DC 20510-3603

Dear Senator Inhofe,

I respectfully submit the following responses to the questions you ask in your letter dated February 12, 2014, regarding the Environmental Protection Agency's (EPA) proposed rule entitled "Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units," published at 79 FR 1430 (January 8, 2014).

1. On what specific date did the Office of the Federal Register (OFR) first receive the NSPS proposal from EPA?

Response: We received this proposed rule on November 25, 2013.

2. Did EPA send multiple versions of the rule to OFR prior to the NSPS publication on January 8, 2014? If so, please provide the dates EPA sent the different versions.

Response: We searched our electronic management system and did not find any record of this proposed rule or earlier versions of this proposal being submitted to the OFR before November 25, 2013.

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www.federalregister.gov | www.fdsys.gov

3. Did EPA ever request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: No, the EPA did not request a specific publication date when it submitted this proposed rule.

4. Did EPA ever request a change in the publication date for this rule? If so, please provide the date specified.

Response: This proposed rule was originally scheduled to publish on December 30, 2013. On December 24, 2013 EPA requested that this document publish on January 8, 2014.

5. Once OFR received the rule from EPA, how long did it take to prepare it for publication?

Response: We received this document on November 25, 2013. It was originally scheduled to be placed on public inspection on December 27, 2013. The document spent approximately 22 working days within our office.

6. Once OFR prepared the rule for publication, how long before it published in the Federal Register?

Response: Approximately 8 working days between the time it was originally scheduled to be placed on public inspection (December 27, 2013) and the date it was available on public inspection (January 7, 2014).

I hope this answers all of your questions. If you have any additional questions please contact me at (202) 741-6100 or Amy Bunk, Director of Legal Affairs and Policy. Ms. Bunk can be reached at (202) 741-6025. Thank you.

Sincerely,



CHARLES A. BARTH

Director, Office of the Federal Register

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EXHIBIT C

United States Senate

WASHINGTON, DC 20510-3603

COMMITTEES
ARMED SERVICES
INTELLIGENCE *ex officio*
ENVIRONMENT AND
PUBLIC WORKS

February 26, 2014

The Honorable Charley Barth
Director
Office of the Federal Register
800 North Capitol Street, NW
Suite 700
Washington, D.C. 20001

Dear Director Barth,

I greatly appreciate your quick response to my February 12, 2014 letter. The information you provided is very helpful. As a follow up, I would like to request the following information about various rules published in the Federal Register by the Environmental Protection Agency (EPA). Will you please fully respond to the following requests by March 3, 2014?

1. With respect to the Clean Air Interstate Rule,ⁱ which was published in the Federal Register on May 12, 2005:
 - a. On what date did the Office of the Federal Register (OFR) first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.
2. With respect to the 2008 Ozone NAAQS update,ⁱⁱ which was published in the Federal Register on March 27, 2008:
 - a. On what date did the OFR first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.
3. With respect to the 2008 Advanced Notice of Proposed Rulemaking for Greenhouse Gas Regulations under the Clean Air Act,ⁱⁱⁱ which was published in the Federal Register on July 30, 2008:
 - a. On what date did the OFR first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.
4. With respect to the Boiler MACT rule,^{iv} which was published in the Federal Register on March 21, 2011:
 - a. On what date did the OFR first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

February 26, 2014

5. With respect to the Utility MACT^v rule, which was published in the Federal Register on February 16, 2012:
 - a. On what date did the Office of the Federal Register (OFR) first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.
6. With respect to the 2012 Proposed Rule for New Source Performance Standards for Greenhouse Gas Emissions for Electric Utility Generating Units^{vi}, which was published in the Federal Register on April 13, 2012:
 - a. On what date did the Office of the Federal Register (OFR) first receive the rule from EPA?
 - b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

I appreciate your prompt attention to this request.

Sincerely,



James M. Inhofe
Ranking Member
Subcommittee on Oversight
Senate Environment and Public Works Committee

ⁱ "Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Clean Air Interstate Rule); Revisions to Acid Rain Program; Revisions to the NOx SIP Call; Final Rule," 70 Fed. Reg. 91 (May 12, 2005), pp. 25162-25405.

ⁱⁱ "National Ambient Air Quality Standards for Ozone; Final Rule" 73 Fed. Reg. 60 (March 27, 2008), pp. 16436-16514.

ⁱⁱⁱ "Regulating Greenhouse Gas Emissions Under the Clean Air Act; Advanced Notice of Proposed Rulemaking," 73 Fed. Reg. 147 (July 30, 2008), pp. 44354-44520.

^{iv} "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers," 76 Fed. Reg. 54 (March 21, 2011), pp. 15608-15702.

^v "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units; Final Rule" 77 Fed. Reg. 32 (Feb. 16, 2012), pp. 9304-9513.

^{vi} "Standards of Performance for Greenhouse Gas Emissions For New Stationary Sources: Electric Utility Generating Units; Proposed Rule," 77 Fed. Reg. 72 (Apr. 13, 2012), pp. 22391-22443.



EXHIBIT D

March 3, 2014

Honorable Senator James M. Inhofe
Ranking Member
Subcommittee on Oversight
Senate Environment and Public Works Committee
205 Russell Senate Office Building
Washington, DC 20510-3603

Dear Senator Inhofe,

I respectfully submit the following responses to the questions you ask in your letter dated February 26, 2014, regarding six EPA documents that published in the Federal Register between 2005 and 2012.

1. With respect the Clear Air Interstate Rule, which was published in the Federal Register on May 12, 2005:

a. On what date did the Office of the Federal Register (OFR) first receive the rule from EPA?

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We no longer have information related to when we received this document for publication or if EPA requested a specific publication date. Under our records schedule, rules and associated files are destroyed after 5 years. We changed our document management system in 2005 to our current one.

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2. With respect the 2008 Ozone NAAQS update, which was published in the Federal Register on March 27, 2008:

a. On what date did the OFR first receive the rule from EPA?

Response: March 17, 2008

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We have no documentation that indicates EPA requested a specific publication date.

3. With respect the 2008 Advanced Notice of Proposed Rulemaking for Greenhouse Gas Regulations under the Clean Air Act, which was published in the Federal Register on July 30, 2008:

a. On what date did the OFR first receive the rule from EPA?

Response: July 14, 2008.

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We have no documentation that indicates EPA requested a specific publication date.

4. With respect the Boiler MACT Rule, which was published in the Federal Register on March 11, 2011:

a. On what date did the OFR first receive the rule from EPA?

Response: February 24, 2011

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We have no documentation that indicates EPA requested a specific publication date.

5. With respect the Utility MACT rule, which was published in the Federal Register on February 16, 2012:

a. On what date did the OFR first receive the rule from EPA?

Response: January 12, 2012

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We have no documentation that indicates EPA requested a specific publication date.

6. With respect the 2012 Proposed Rule for New Source Performance Standards for Greenhouse Gas Emissions for Electric Utility Generating Units, which was published in the Federal Register on April 13, 2012:

a. On what date did the OFR first receive the rule from EPA?

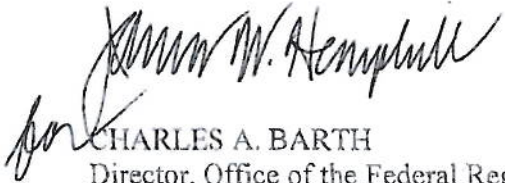
Response: March 28, 2012

b. Did EPA request a specific publication date for the rule in the Federal Register? If so, please provide the date specified.

Response: We have no documentation that indicates EPA requested a specific publication date.

I hope this answers all of your questions. If you have any additional questions please contact Amy Bunk, Director of Legal Affairs and Policy. Ms. Bunk can be reached at (202) 741-6025. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles A. Barth", is written over the printed name. The signature is fluid and cursive.

CHARLES A. BARTH
Director, Office of the Federal Register